

## Message Text

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ACTION ARA-10

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R 160035Z DEC 76  
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AMCONSUL HERMOSILLO  
AMCONSUL GUADALAJARA  
AMCONSUL MONTERREY  
ALL OTHER CONSULATES IN MEXICO (POUCH)

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E.O. 11652: GDS  
TAGS: EGEN, PINT, ARA  
SUBJECT: LATEST DEVELOPMENTS RE AGRARIAN SITUATION IN SONORA  
AND SINALOA

REF: MEXICO 15496

1. AGRARIAN SITUATION IN STATE OF SONORA CONTINUES TO MAKE HEADLINES AS BOTH PRIVATE LANDOWNERS AND CAMPESINO ORGANIZATIONS AWAIT OUTCOME OF LEGAL SITUATION CONCERNING FUTURE STATUS OF 98,786 HECTARES, INCLUDING 38,000 HECTARES OF RICH AND PRODUCTIVE (IRRIGATED) AGRICULTURAL LAND, WHICH WAS EXPROPRIATED AND REDISTRIBUTED TO CAMPESINOS BY A PRESIDENTIAL DECREE OF NOVEMBER 19, 1976.

2. LATEST AND MOST HIGHLY PUBLICIZED DEVELOPMENT IN CONTINUING CONFLICT WAS DECEMBER 7 DECISION BY FEDERAL ADMINISTRATIVE JUDGE WHICH IN EFFECT LEGALLY NULLIFIED PRESIDENT ECHEVERRIA'S ACTION OF NOVEMBER 19. THE JUDGE RULED THAT THE TEMPORARY RIGHT OF "AMPARO" EARLIER ACCORDED TO LAND- OWNERS WAS ILLEGALLY VIOLATED BY THE EXPROPRIATION ACTION.

3. SONORA LANDOWNERS HAVE PREDICTABLY INDICATED GREAT PLEASURE AND RELIEF AT JUDGE'S RULING, WHICH THEY INTERPRET AS PARTIAL VINDICATION OF THEIR LEGAL RIGHTS. IN CONTRAST, CAMPESINO

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GROUPS HAVE PUBLICLY VOICED DISAPPOINTMENT AT JUDGE'S DECISION

AND CONFIRMED THEIR DETERMINATION TO REMAIN IN POSSESSION OF DISTRIBUTED LANDS PENDING FURTHER LEGAL APPEALS. ON DEC 12, IGNACIO BURGOA, LEGAL REPRESENTATIVE OF THE SONORA LAND- OWNERS, WAS QUOTED BY THE PRESS AS SAYING THAT HIS CLIENTS WOULD RESPECT THE LAW AND NOT USE FORCE OR VIOLENCE TO TRY AND REMOVE CAMPESINOS FROM THE LAND OCCUPIED IN NOVEMBER. PRAISING THE "CIVIL SPIRIT" OF THE NEW AGRARIAN REFORM AUTH- ORITIES, HE EXPRESSED A WILLINGNESS TO NEGOTIATE A REASON- ABLE SETTLEMENT WITH "AUTHENTIC" CAMPESINOS. (PRIVATE FARMERS CLAIM THAT MANY OF THE LAND RECIPIENTS IN NOVEMBER ARE REALLY CITY FOLK--BARBERS, MUSICIANS, ETC., AND ARE NOT TRUE CAMPESINOS.)

4. MEANWHILE, PRESS REPORTS AND STATEMENTS BY LANDOWNERS IN SONORA SUGGEST THAT AGRICULTURAL PRODUCTION IN THIS IMPORTANT AREA WILL BE SERIOUSLY Affected BY THE CURRENT DISPUTE--PARTICULARLY WHEAT PRODUCTION.

5. IN SINALOA STATE, WHICH UNDERWENT A SERIES OF LAND INVASIONS FOLLOWING THE NOVEMBER PRESIDENTIAL DECREE IN SONORA, THE SITUATION CONTINUES TENSE AND EXPECTANT. ON DECEMBER 11, PRESIDENT LOPEZ PORTILLO CALLED UPON BOTH EJIDO GROUPS AND PRIVATE OWNERS TO REACH AN AGREEMENT THAT WOULD NOT DAMAGE AGRICULTURAL PRODUCTION DESTINED FOR POPULAR CONSUMPTION. ACCOMPANIED BY STATE GOVERNOR ALFONSO CALDERON VELARDE, THE PRESIDENT MET PERSONALLY WITH CAMPESINO REPRE- SENTATIVES WHO REPORTEDLY PROMISED TO WITHDRAW FROM THE INVaded LANDS WITHOUT PREJUDICE TO THE OUTCOME OF THE PENDING LEGAL DECISIONS. ACCORDING TO AVAILABLE REPORTS. POLICE HAVE INTERVENED TO REMOVE CAMPESINOS FROM SIX AREAS IN SINALOA STATE BUT SOME 17 STILL REMAIN UNDER OCCUPATION.

6. COMMENT: IN AN EFFORT TO SHED SOME LIGHT ON THE CONFUSING AGRARIAN SITUATION, EMBOFFS ON DEC 14 CALLED ON NEW AGRARIAN REFORM SUB-SECRETARY MIGUEL OSORIO MARBAN. DESPITE FACT THAT HIS OFFICE PHYSICALLY INUNDATED WITH PETITIONERS--INCLUDING REPRESENTATIVES OF CONTENDING GROUPS FROM SONORA--OSORIO MARBAN TOOK TIME TO REVIEW BACKGROUND AND CURRENT STATUS OF SITUATION IN SONORA. EMPHASIZING THAT IT IS POLICY AND OBLI- GATION OF LOPEZ PORTILLO ADMINISTRATION TO UPHOLD LAW, CONFIDENTIAL

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OSORIO MARBAN CLAIMED THAT DECEMBER 7 DECISION OF FEDERAL JUDGE WAS ONLY ONE MORE STEP IN ONGOING LEGAL SKIRMISHING WHICH WILL CULMINATE ON JANUARY 6 WHEN SUPREME COURT IS EXPECTED TO REACH CONSTITUTIONAL DECISION CONCERNING LAND- OWNERS' CLAIM TO "AMPARO" AGAINST THE CLAIMS OF THE CAMPESINOS OF THEIR RIGHT TO RETAIN THE LANDS WHICH HAVE ALREADY BEEN DISTRIBUTED TO THEM.

7. NOTWITHSTANDING PRESS REPORTS, OSORIO MARBAN EXPRESSED CONFIDENCE THAT BOTH LANDOWNERS AND CAMPESINOS WOULD PEACEFULLY AWAIT OUTCOME OF SUPREME COURT DECISION. PENDING JANUARY RULING, WHOSE OUTCOME CANNOT BE PREDICTED, OSORIO MARBAN CLAIMED THAT NO ATTEMPT WOULD BE MADE TO REMOVE CAMPESINOS FROM LANDS DISTRIBUTED AS A RESULT OF NOVEMBER PRESIDENTIAL DECREE. THROUGHOUT CONVERSATION, HE REPEATEDLY INSISTED ON NEUTRALITY AND GOOD FAITH OF AGRICULTURAL REFORM SECRETARIAT WHICH IS COMMITTED TO FAITHFULLY EXECUTING LAW, WHILE EXPRESSING PERSONAL OPTIMISM THAT SITUATION WILL EVENTUALLY BE RESOLVED WITHOUT SERIOUS VIOLENCE OR DAMAGE TO AGRICULTURAL PRODUCTION IN SONORA. WHILE LATTER CLAIM SEEMS RATHER DOUBTFUL IN LIGHT OF EMBASSY SOURCES WHICH STATE THAT WHEAT PRODUCTION WILL BE DOWN AT LEAST 500,000 TONS (PARTLY DUE TO INADEQUATE WATER SUPPLIES), OSORIO MARBAN NEVERTHELESS ADHERED TO THIS POSITION. ONE AFFECTIONATE FAMILY HAS ALSO TOLD EMBASSY OFFICERS THAT THEY DOUBT THAT THEY CAN EVER RECOVER THEIR LANDS WITHOUT VIOLENCE. OSORIO MARBAN SAID, HOWEVER, THAT IF THE FINAL LEGAL DECISION GOES AGAINST THE CAMPESINOS, THEY WILL BE ALLOWED TO REMAIN ON THE LAND UNTIL AFTER THE HARVEST OF THE CROPS THEY ARE NOW PLANTING. EMBASSY ASSUMES THIS COULD GIVE THE GOVERNMENT TIME TO TAKE STEPS TO DEFUSE THE SITUATION AND REDUCE THE LIKELIHOOD OF VIOLENCE AT THE TIME THE CAMPESINOS ARE ACTUALLY REQUIRED TO VACATE THE LANDS.

8. LEGAL AND PRACTICAL DENOUEMENT OF AGRARIAN STRUGGLE IN SONORA AND SINALOA WILL UNDOUBTEDLY HAVE IMPORTANT RAMIFICATIONS FOR AGRARIAN SITUATION IN OTHER PARTS OF COUNTRY. THUS FAR, JLP ADMINISTRATION SEEMS TO BE HANDLING SENSITIVE AND POLITICALLY EXPLOSIVE SONORA SITUATION WITH CONSIDERABLE TACT AND FINESSE. IT REMAINS TO BE SEEN, HOWEVER, WHETHER IT CAN MAINTAIN CREDIBILITY AND RESPECT OF BOTH LANDOWNERS

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AND CAMPESINOS. EVEN IF OSORIO MARBAN IS RIGHT THAT PARTIES TO THE DISPUTE ARE PREPARED TO MAINTAIN STATUS QUO PENDING CONCLUSION OF LEGAL BATTLE, THEIR WILLINGNESS TO ABIDE PEACEFULLY BY COURT DECISION WILL BE REAL TEST.

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## Message Attributes

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